



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Numbers: 2206665/2206589

Applicant Name: Martin Liebowitz for the Madrona Company

Address of Proposal: 1051 East Thomas Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a total of three, three-story townhouse structures consisting of 15 residential units with 15 accessory parking spaces within the structure. Project includes grading of 810 cubic yards of material.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC - Numerous Design Departures

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

* Early DNS Notice published February 13, 2003

BACKGROUND DATA

Site Description

Located at the intersection of East Thomas Street and 11th Avenue East (two blocks west of Broadway Avenue East), the rectangular site currently contains four, older residential structures to be demolished. The site's grade rises approximately eight feet from 328' above sea level near the alley to 336 feet near the intersection of East Thomas Street and 11th Avenue East. The site has been divided into two parcels. Parcels A (MUP 2206665) and B (2206589) comprise the north and south halves of the property respectively. Units one through eight occupy Parcel B, and units nine through 15 occupy Parcel A.

Vicinity



Most lots in the immediate vicinity were developed with multi-family residences throughout the 20th century. Across E. Thomas St. lies a handsome, 1909-built, brick apartment building with deep, cave-like balconies. To the south of the site is a nine-unit, L-shaped, lowrise apartment constructed in 1951. Farther south is an entirely metal clad duplex built in 1993. The heart of Capitol Hill, the Broadway commercial corridor, lies two blocks from the site. At the intersection of East Thomas and Broadway East are Julia's restaurant, Angel's Thai restaurant, and a Bank of America branch at the southeast corner. The area immediately surrounding the site is zoned Lowrise Three (L3). Zoning at the

Broadway East and East Thomas intersection comprises Neighborhood Commercial Three with a forty foot height limit (NC3-40). The existing structures on the site are clearly in poor condition.

Proposal Description

The applicant proposes 15 residential units and 15 parking spaces located in three, three-story, mixed-use buildings at the southwest corner of East Thomas Street and 11th Avenue East. The three structures, two L-shaped and one rectangular shaped, will frame an exterior courtyard. Pedestrian access to the units requires entering into the courtyard with the exception of units facing 11th Avenue East and East Thomas Street, which will have additional access from the street. Vehicular access occurs from the alley on axis with Federal Avenue East and off of East Thomas Street.

Landscaping corresponds to both the street and to the courtyard configuration formed by the three buildings. Proposed materials include colored metal siding, steel or aluminum railings and flashings, and hardiplank, a fiber-cement exterior material. The Lowrise Three zone permits a 30 foot height building.

Public Comments

Approximately seven members of the community attended the Early Design Guidance meeting. Comments and questions focused on the following concerns: reducing the amount of required parking, ensuring covered entries and appropriately sized stoops, increasing the number of units, ensuring affordability, eliminating a blank wall, ensuring safety and reducing discrete areas on site where transients and junkies may inhabit, and siting the units to allow views into the courtyard from East Thomas Street. A neighbor suggested eliminating the private open spaces closest to the south property line.

Three comment letters were received by the City. One specifically encouraged the construction of stoops or steps to the units above the street to contribute to a safer neighborhood.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance Meeting on November 6, 2002. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The project must provide a sense of security for the residents as well as create a sense of porosity that permits pedestrians to glimpse into the courtyard. The relationship between the small complex and the street is important to the project's success. Techniques such as modulation and change of elevation into the units (stoops) are important to employ. The quality of the elements comprising the entry ways is equally important.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The courtyard plan type does this well.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety

Elevations for Scenario C show four garage doors facing E. Thomas St. The Board asked the architect to reduce the number of garage doors and minimize their street presence. Special consideration should be given to what the doors will look like. Instead of specifying a standard garage door, the proposed doors should possess architectural character.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The Board members urged the applicant to emphasize the corner unit, #14, by endowing it with greater character.

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

Board members asked Mr. Liebowitz to consider treating the alley building differently than the two “L-shape” wings. Being on axis with the front entry and framed by the two L-shaped structures, the middle building should carry more design significance. The colors and materials should reinforce the axis and the courtyard concept.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The architect must reconsider the garage entrances off of E. Thomas Street. This elevation is considered the weakest of the ones presented. See A-8.

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building’s entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Pedestrians should be able to peer into the courtyard. This will allow more community interaction as well as provide a greater sense of openness.

D-2 Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

The wall that screens the dumpster should not be blank.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Access to the recycling and waste storage area should be from the alley rather than the adjacent streets.

D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.

Board members liked the idea of an artist designed gate, a feature The Madrona Company regularly produces for its projects. The gate should have apertures large enough to allow pedestrians to see into the courtyard.

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The development team will need to produce a complete landscape design concept for the courtyard and other landscaped elements.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The landscape plan should reinforce the courtyard concept and the east/west axis created from 11th Avenue East.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

The landscape design should recognize the character of the adjacent streets and the sloping topography.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on December 27, 2002.

Public Comments

At the Recommendation meeting most of the speakers praised the addition to the neighborhood. The structure's relationship to the courtyard, however, represented the major focus of discussion. Participants questioned whether the courtyard would receive adequate light. Typically, bungalow courts have one side open to the street, which provides better light and greater transparency from the street and sidewalk than the more enclosed scheme presented at the meeting. Another participant asked about the spacing of the trees in the right-of-way.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation meeting on January 15, 2003, to review the applicant's formal project proposal developed in response to the previously identified priorities. At this public meeting, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed exterior materials were presented for the members' consideration.

Development Standard Departures

The applicant requested departures from the following standards of the Land Use Code:

1. Lot coverage: Maximum coverage is 50 percent of the lot area.
2. Structure depth: Maximum structure depth is 65 percent of the lot depth.
3. Modulation front façade: Minimum modulation depth is four feet.
4. Front setback: Minimum five foot setback with a maximum of 15 feet.
5. Rear setback: Minimum rear setback is 15 percent of the lot depth.
6. Side setback: Minimum side setback varies.
7. Interior setback: Minimum setback is ten feet.
8. Open Space: Minimum 200 square feet per unit. Average square feet per unit for complex is 300'
9. Alley setback: Minimum 22 feet aisle width for 90 degree parking.
10. Alley access to parking: Access is to occur from alley.
11. Parking space standards: Sixty percent of spaces must be allocated for medium vehicles and forty percent allocated for small vehicles.

Recommendations

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

Rather than always signifying the distinction among residential units, the color palettes should change according to architectonic shifts. For example, the exterior of Units 10, 11, and 12 facing East Thomas Street should read as one color. Distinctions among the units can be represented by varying the type and color of the entry door or other elements.

By a 3 to 0 vote, the Board members recommended this strategy for the three structures. The Board gave the architect discretion to choose the final color scheme.

- D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.**

Adequate screening of the dumpsters has not been resolved.

- E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

The Board recommended by a 3-0 vote that the architect and landscape architect create a low retaining wall and plantings to separate the pedestrian realm on the sidewalk from the semi-private realm of the units' stoops or porches. This creates a softer transition than the railings. This is particularly true along East Thomas Street.

The recommendations summarized below were based on the plans submitted at the January 15, 2003 meeting. Design, siting and architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the January 15th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	ACTION
1. Lot coverage 23.45.010	50 percent maximum Parcel A: (2,860 sq. ft.) Parcel B: (3,366 sq. ft.)	Parcel A 73% (3847 sq. ft.) Parcel B 73% (4,915 sq. ft.)	<ul style="list-style-type: none"> Provides a gracious central courtyard. 	APPROVED
2. Structure Depth. 23.45.011	65% depth of lot=78'	Parcel A/Bldg. 1 72.5% 87' Parcel B/Bldg. 1 72.5% 87' depth)	<ul style="list-style-type: none"> Provides a traditional architectural plan not accounted for in the Development Code. Depth and width mitigated by large central open space. 	APPROVED
3. Modulation: Front Facade. 23.45.012A,B,C & 23.45.012.D.2	40 feet with a principal entrance facing the street. Minimum modulation depth is 4'	Parcel A 2.5' (front) Parcel B 2.5' (front)	<ul style="list-style-type: none"> Variations in façade color. Unusual structure with a series of modulations. 	APPROVED
4. Front Setback 23.45.014.A.1	5' Minimum/ 15' Maximum	Parcel A 2' min./3.4' average Parcel B 2" min./3.4' average.	<ul style="list-style-type: none"> Establishes the parameters of the courtyard scheme. 	APPROVED
5. Rear Setback 23.45.014B	18' (15% of lot depth)	Parcels A&B 8' from center line	<ul style="list-style-type: none"> Establishes the parameters of the courtyard scheme. 	APPROVED
6. Side Setback 23.45.014C	Parcel A South is 8' minimum/ 9.5 average. North is 10'	Parcel A-Bldg. #1: South is 4'3" min., 10.24' avg. North is zero. Bldg. 2: North is zero, south is zero. Parcel B- Bldg. #1:	<ul style="list-style-type: none"> Establishes the parameters of the courtyard scheme. 	APPROVED
7. Interior Setback 23.45.014	10 feet	6 feet	<ul style="list-style-type: none"> Establishes the parameters of the courtyard scheme. 	APPROVED
8. Open Space 23.45.016.A.3.a.1	200 sq. ft. minimum 300 sq. ft. average'	Parcels A&B 24 sq. ft. minimum 120 sq. ft. average.	<ul style="list-style-type: none"> Porches average 187 sq. ft. Total average is 307 sq. ft. avg. Provides one large courtyard. 	APPROVED
9. Alley Setback of Garage 23.45.030D	22' aisle width for 90 degree parking.	20' aisle width.	<ul style="list-style-type: none"> Appears adequate for vehicles. 	APPROVED
10. Alley Access to Parking 23.45.018.B.1	Access occurs from alley.	Street and alley access proposed. Four of 11 spaces accessed from single curb cut on E. Thomas St.	<ul style="list-style-type: none"> Maintains townhouse concept. 	APPROVED
11. Parking Space Size.	60% medium spaces/ 40% small spaces.	40% medium spaces/ 60% small spaces 4 small / 3 medium for Parcel A.	<ul style="list-style-type: none"> Provides reduction in parking aisles width. 	APPROVED

The Board recommended the following 3 CONDITIONS for the project to be reviewed and approved by the planner. (Authority referenced in the letter and number in parenthesis):

1. Alter exterior colors when there is an appropriate architectonic shift in the structure. (C-4)
2. Provide adequate screening for the dumpsters and recycling area. (D-6)

3. Design and build a low retaining wall with plantings above as a method of separating semi-private open space, porches and stoops from the sidewalk. (E-3)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated December 28, 2002) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of the earth, air quality, traffic and parking, and construction-related noise impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses and commercial. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be

inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M. and on Sundays from 10:00 A.M. to 5:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction timeframe if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be

included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DCLU Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DCLU building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 8 feet and will consist of approximately 810 cubic yards of material. Approximately 320 cubic yards of the excavated soil removed will be reused on the site. The remaining 490 cubic yards will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

A portion of the soil excavated for the garage structure will be reused as fill on the site; however, 490 cubic yards will need to be disposed off-site. Excavation activity will require 49 round trips with 10-yard hauling trucks or 25 round trips with 20-yard hauling trucks, which are the standard for this size of undertaking. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Construction of the project is proposed to last approximately 11 months. Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers

will be required to park on-site as soon as it is available for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; potential loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, traffic and parking impacts warrant further analysis.

Traffic and Transportation

According to The Institute of Transportation Engineers (ITE) Trip Generation Manual, residential townhouse units generate .54 vehicle trips in the P.M. peak period per unit. The 15 townhouse units would generate approximately 8.1 vehicle trips per P.M. peak period. The four single family residences each currently generate an estimated 1.02 trips per P.M. peak period or a total of 4.08 trips according to the ITE manual. In total, the proposed complex would contribute 4.02 P.M. peak hour trips over and beyond current use. The new trips added to the p.m. peak traffic will not seriously affect operations of the intersection of 11th Ave. East and East Thomas St., thus no SEPA mitigation of traffic impacts to this intersection are warranted.

Access to the site will occur from a driveway off of East Thomas St. and the alley that intersects E. Thomas at Federal Avenue East.

Parking

Chapter 23.54 of the Land Use Code addresses parking requirements. In addition, subsection 25.05.675.M of the City's Environmental Policies and Procedures addresses parking impacts, as follows:

Parking policies designed to mitigate most parking impacts and to accommodate most of the cumulative effects of future projects on parking are included in the City's land use policies and implemented through the City's Land Use Code. However, in some neighborhoods, due to inadequate off-street parking, streets are unable to absorb any additional parking spillover.... It is the City's policy to minimize or prevent adverse parking impacts associated with development

projects. Subject to the overview and cumulative effects policies set forth in SMC Sections 25.05.665 and 25.05.670, the decision-maker may condition a project to mitigate the effects of development in an area on parking; provided, that... parking impact mitigation for multifamily development may be required only where on-street parking is at capacity as defined by Seattle Transportation or where the development itself would cause on-street parking to reach capacity as so defined.

The project as a whole provides 15 parking spaces for 15 residential units, which meets zoning requirements. However, anticipated demand for parking in a multi-family project is 1.5 spaces per unit, which would result in a need for parking for 22.5 vehicles. However, there is sufficient parking on the streets for the anticipated spillover parking, thus no further SEPA mitigation of parking impacts is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Revise plans according to the following conditions.

1. Alter exterior colors when there is an appropriate architectonic shift in the structure.
2. Provide adequate screening for the dumpsters and recycling area.

3. Design and build a low wall retaining with plantings above as a method of separating semi-private open space, porches and stoops from the sidewalk.

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building, the site or to the improvements in the public right-of-way must be submitted to DCLU for review and approval by the Land Use Planner (Bruce P. Rips, 615-1392).
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DCLU planner assigned to this project (Bruce P. Rips, 615-1392), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed in the cover sheet, the Design Review and SEPA conditions contained in this decision into all drawings including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

The owner(s) and/or responsible party (-ies) shall:

1. Attach a copy of the PSCAA demolition permit to the building permit set of plans.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

2. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M. and on Sundays from 10:00 A.M. to 5:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).

- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
3. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.
- Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DCLU prior to each occurrence.
- After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.
- Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and would not be subject to the additional noise mitigating conditions.
4. Parking for construction workers shall be provided on-site as soon as the lower garage is completed.

Signature: _____ (signature on file) _____ Date: June 2, 2003
Bruce P. Rips, AICP, Project Planner
Department of Design, Construction and Land Use
Land Use Services

BPR:bg

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